

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

DANIEL HERNANDEZ, et al,

Defendant.

No. CR19-203RSM

ORDER CONTINUING TRIAL,
PRETRIAL MOTIONS AND OTHER
INTERIM SCHEDULED DATES.

The Court has considered Mr. Islas-Estrada's Motion to Continue Trial requesting a continuance of the trial date, pretrial motions, and other interim scheduling dates. In light of the facts and circumstances described therein, which are hereby incorporated as findings of fact,

THE COURT FINDS that taking into account the exercise of due diligence, a failure to grant a continuance of the trial date would deny the defendants and their counsel the time reasonably necessary for effective preparation, taking into account the exercise of due diligence, because defense counsel needs additional time to review the large amount of discovery in this case, conduct their investigation, perform legal research, consider possible defenses and evaluate potential motions practice, and consult with their respective defendant. 18 U.S.C. § 3161(h)(7)(B)(iv).

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1 THE COURT FURTHER FINDS that a failure to grant a continuance would likely
2 result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(B)(i).

3 THE COURT FURTHER FINDS that the ends of justice will best be served by a
4 continuance, and the ends of justice outweigh the best interests of the public and the
5 defendants in any speedier trial, as set forth in 18 U.S.C. § 3161(h)(7)(A).

6 THE COURT FURTHER FINDS that based on the large amount of discovery in
7 the case and the schedules of counsel for the government and the defense, that a lengthy
8 continuance is both necessary and appropriate.

9 THE COURT FURTHER FINDS that to the extent any particular defendant
10 objects to the proposed continuance of the trial date, a continuance as to any defendant
11 tolls the Speedy Trial Act period as to all joined co-defendants. See 18 U.S.C. §
12 3161(h)(6).

13 Accordingly, IT IS ORDERED that the trial date in this matter shall be continued
14 to October 4, 2021, and that pretrial motions and other deadlines in the Time Schedule
15 Order be moved accordingly.

16 IT IS FURTHER ORDERED that the period of delay from the date of this order to
17 the new trial date is excludable time pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and
18 (h)(7)(B)(iv).

19 DATED this 1st day of March, 2021.

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25 RICARDO S. MARTINEZ
CHIEF UNITED STATES DISTRICT JUDGE

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